REMARKS

The Examiner rejects claims 1-46 under 35 U.S.C. § 102(e) as being anticipated by Stronach U.S. Patent 6,722,980 (hereinafter "Stronach"). The Examiner's rejection is respectfully traversed.

Applicant respectfully submits that the Stronach is not prior art to this application. Stronach claims priority to an international application filed on May 1, 2000. International applications, however, filed prior to November 29, 2000 "may not be used to reach back (bridge) to an earlier filing date through a priority or benefit claim for prior art purposes under 35 U.S.C. 102(e)" (MPEP § 706.02(a)(II)(B)). More specifically,

> [p]atents[, such as Stronach,] issued directly, or indirectly from international applications filed before November 29, 2000 may only be used as prior art based on the provisions of 35 U.S.C. 102(e) in effect before November 29, 2000. Thus, the 35 U.S.C. 102(e) date of such a prior art patent is the earliest of the date of compliance with 35 U.S.C. 371(c)(1), (2) and (4), or the filing date of the later-filed U.S. continuing application that claimed the benefit of the international application.

MPEP § 706.02(a)(II)(B) (emphasis removed). Stronach was filed on November 30, 2001 as a continuation of an international application filed prior to November 29, 2000. Accordingly, Stronach's 35 U.S.C. § 102(e) date is November 30, 2001, which is after the November 29, 2000 filing date of this application.

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Therefore, because Stronach is not prior art to this application, the Examiner's rejection should be withdrawn.

In view of the foregoing, applicant respectfully submits that claims 1-46 are in condition for allowance. This application is therefore in condition for allowance. Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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